

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES MOORE, *individually and on behalf of all others similarly situated,*

24 Civ. 2613 (PAE)

Plaintiff,

-v-

ORDER

CHECKPOINT THERAPEUTICS, INC., *et al.*,

Defendants.

PAUL A. ENGELMAYER, District Judge:

The Court thanks the parties for their proposed briefing schedule as to lead plaintiff's amended complaint. Dkt. 32. However, under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. No further opportunities to amend will ordinarily be granted. As such, the Court sets the following schedule:

- August 23, 2024: Lead plaintiff's first amended complaint due.
- October 23, 2024: Defendants' response due.

If defendants move to dismiss the first amended complaint, lead plaintiff shall either file an opposition *or* a second amended complaint by November 13, 2024.

If lead plaintiff opts to stand on his first amended complaint, the following schedule shall apply:

- December 23, 2024: Lead plaintiff's opposition due.
- February 3, 2025: Defendants' reply brief due.

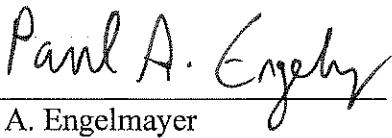
If lead plaintiff files a second amended complaint, the following schedule shall apply:

- December 23, 2024: Defendants' response due.

- January 23, 2025: Lead plaintiff's opposition due.
- February 13, 2025: Defendants' reply brief due.

In line with the parties' request, the Court also respectfully directs the Clerk of Court to rename this action to: *In re Checkpoint Therapeutics, Inc. Securities Litigation.*

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: June 27, 2023
New York, New York